

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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AFSHIN BAHRAMPOUR,

Plaintiff,

v.

CLARK COUNTY COMMISSIONERS, et
al.,

Defendants.

Case No. 2:13-cv-01271-MMD-CWH

ORDER ACCEPTING REPORT AND
RECOMMENDATION

Before the Court is the Report and Recommendation of United States Magistrate Judge Carl W. Hoffman (dkt. no. 7) ("R&R") recommending denial of Plaintiff Afshin Bahrampour's Motion for Leave to Proceed *in forma pauperis* (dkt. no. 6). No objection to the R&R has been filed.


This Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a *de novo* determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1). Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. See *United States v.*

1 *Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review
2 employed by the district court when reviewing a report and recommendation to which no
3 objections were made); *see also Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D.
4 Ariz. 2003) (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the view that
5 district courts are not required to review "any issue that is not the subject of an
6 objection."). Thus, if there is no objection to a magistrate judge's recommendation, then
7 the court may accept the recommendation without review. *See, e.g., Johnstone*, 263 F.
8 Supp. 2d at 1226 (accepting, without review, a magistrate judge's recommendation to
9 which no objection was filed).

10 Nevertheless, this Court finds it appropriate to engage in a *de novo* review to
11 determine whether to adopt Judge Hoffman's R&R. Upon reviewing the R&R and
12 underlying motion, this Court finds good cause to adopt Judge Hoffman's
13 recommendation in full. From Plaintiff's most recent application (dkt. no. 6) it appears as
14 though Plaintiff is able to pay the costs of commencing this action.

15 It is therefore ordered that the Report and Recommendation of Magistrate Judge
16 Carl W. Hoffman (dkt. no. 7) be accepted and adopted in its entirety. Plaintiff's Motion for
17 Leave to Proceed *in forma pauperis* (dkt. no. 6) is denied.

18 DATED THIS 13th day of June 2014.

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22 MIRANDA M. DU
23 UNITED STATES DISTRICT JUDGE
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